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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) No. CR 10-00858 DLJ
Plaintiff,) AMENDED STIPULATION AND
v.) [PROPOSED] ORDER CONTINUING
JOSE CUEVAS-ESTRADA,) HEARING FROM APRIL 5, 2011 TO
Defendant.) APRIL 12, 2011

The Parties, Jose Cuevas-Estrada and the United States, acting through respective counsel, hereby stipulate, subject to the Court's approval, that the hearing currently set for April 5, 2011 at 9:00 a.m. be vacated, and that the hearing be re-set for April 12, 2011 at 9:00 a.m..

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1 The defense is requesting the continuance of the hearing due to the need for additional time for
2 effective preparation and to jointly negotiate a resolution in this matter.

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4 DATED: April 1, 2011

MELINDA HAAG
United States Attorney

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6 /s/
7 SUZANNE DeBERRY
Assistant United States Attorney

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9 /s/
10 ROBERT CAREY
Attorney for Defendant

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[PROPOSED] ORDER

Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY ORDERS that the hearing in this matter previously set for April 5, 2011 at 9:00 a.m. is vacated and that the matter is continued to April 12, 2011 at 9:00 a.m.. The court finds that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

IT IS SO ORDERED.

DATED: April 1, 2011


D. LOWELL JENSEN
UNITED STATES DISTRICT COURT JUDGE